



10/573,677

IFW

PTO/SB/06 (04-07)

Approved for use through 09/30/2007. GMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Laborie Europe B.V.

Application No./Patent No.: 10/573,677 Filed/Issue Date: March 23, 2006

Entitled: Apparatus and Method for Dispensing Fluid, Particularly for Medical Use

Laborie Europe B.V.

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Gerrit Dijkman To: Fomix Medical Systems Holding B.V.
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: Fomix Medical Systems Holding B.V. To: Laborie Europe B.V.
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

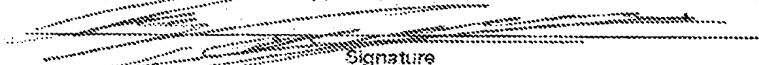
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.09)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee



Signature

Ray Laborie

Printed or Typed Name

Chairman

Title

29-06-07

Date

205-612-1179

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

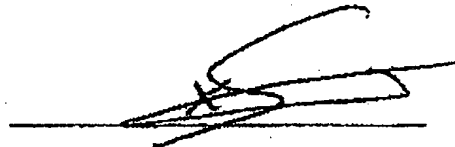
ASSIGNMENT

WHEREAS, I, Gerrat Dijkman (hereinafter referred to as ASSIGNOR), having a post office address of Oldenzaalsestraat 1200, Enschede, The Netherlands 7524 RJ, am the sole inventor of an invention entitled "APPARATUS AND METHOD FOR DISPENSING FLUID" as described and claimed in the specification for which an application for United States letters patent was filed on March 23, 2006, and assigned Serial No. 10/573,677; and

WHEREAS, Fornix Medical Systems Holding B.V. (hereinafter referred to as ASSIGNEE), a corporation organized under the laws of The Netherlands, having a business address at Shoenaker 10e, Beuningen, The Netherlands 6641 SZ, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. Assignor agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

29 November 2006
Date



aklensw 09121843

-1



STATUTENWIJZIGING

Op eenendertig mei -----
tweeduizend zes, verschijnt voor mij, -----
mr. Arnout Christiaan Stroeve, notaris te Amsterdam: -----
mevrouw mr. Geraldine Kyoko Tollenaar, werkzaam bij het kantoor Houthoff Buruma
N.V. in de vestiging te 1082 MA Amsterdam, Gustav Mahlerplein 50, geboren te Am-
stelveen op zeven juni negentienhonderd negenenzeventig, houder van een paspoort
met nummer NG0134944, -----

De comparant verklaarde dat: -----

- de statuten van de besloten vennootschap met beperkte aansprakelijkheid:
Fornix Medical Systems B.V., met zetel te Nijmegen, laatstelijk zijn gewijzigd
bij akte op zevenentwintig augustus tweeduizend drie verleden voor mij, nota-
ris; -----
- de enige aandeelhouder van voormelde vennootschap heeft besloten om een
wijziging in de statuten van de vennootschap aan te brengen; -----
- voorts werd besloten om de comparant te machtigen de betreffende akte van
statutenwijziging te doen verlijden; -----
- van voormelde besluiten blijkt uit een - aan deze akte te hechten - aandeel-
houdersbesluit. -----

Vervolgens verklaarde de comparant ter uitvoering van voormelde besluiten de na-
volgende wijziging in de statuten van de vennootschap aan te brengen: -----

Artikel 1 lid 1 komt te luiden als volgt: -----

- 1.1 De vennootschap draagt de naam: -----
Laborie Europe B.V. -----

Slotverklaring -----

Ten slotte verklaarde de comparant dat de ministeriële verklaring van geen bezwaar
is verleend op dertig mei tweeduizend zes onder nummer B.V. 1.167.618, waarvan
blijkt uit een aan deze akte te hechten beschikking. -----

SLOT -----

De bij deze akte betrokken comparant is mij, notaris, bekend en de identiteit van de
comparant is door mij, notaris, aan de hand van het hiervoor gemelde en daartoe
bestemde document vastgesteld. -----

WAARVAN AKTE -----

wordt verleden te Amsterdam op de datum als in het hoofd van deze akte is vermeld.

Na zakelijke opgave van de inhoud van deze akte en het geven van een toelichting
daarop aan de comparant, heeft deze verklaard van de inhoud van deze akte te heb-
ben kennisgenomen en met beperkte voorlezing in te stemmen. -----

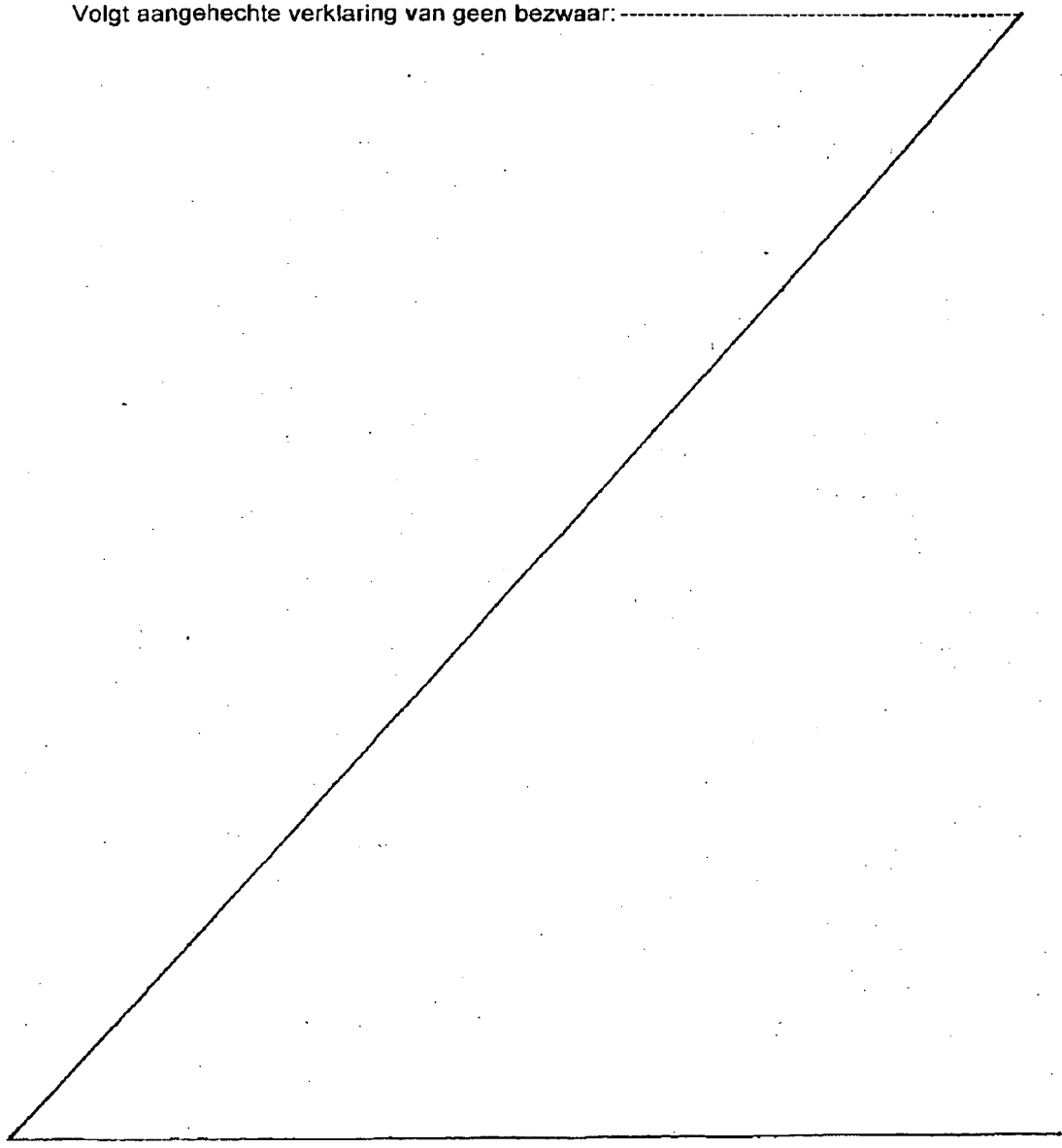
Na beperkte voorlezing overeenkomstig de wet is deze akte door de comparant en



door mij, notaris, ondertekend. _____

(Volgt ondertekening). _____

Volgt aangehechte verklaring van geen bezwaar: _____





Ministerie van Justitie

Dienst Justis
Justitiële uitvoeringsdienst Toetsing, Integriteit en Screening

Referentie: 69.100948-kto-fornix

Mr. AC Stroeve
Postbus 75505
1070 AM AMSTERDAM

Verklaring van geen bezwaar

Naar aanleiding van uw verzoek tot het verkrijgen van de verklaring van geen bezwaar ten aanzien van de hieronder genoemde

Statutenwijziging

deel ik u het volgende mede:

Mij is van bezwaren niet gebleken.

Naam Laborie Europe B.V.

Fornix Medical Systems B.V.

Nummer BV 1167618

Beslissingsdatum 30 mei 2006

De minister van Justitie,
Namens deze,

De coordinator Integriteit Bedrijfsleven
A. A. M. Huld

Indien van toepassing gaarne onderstaande aankruisen en deze verklaring retourneren.
☐ Van deze verklaring is geen gebruik gemaakt



VOOR AFSCHRIJF:

ARlensw 09121840

Doorlopende tekst van de statuten van
Laborie Europe B.V.,
gevestigd te Nijmegen
zoals deze laatstelijk zijn gewijzigd bij akte
verleden op 31 mei 2006
voor notaris mr. A.C. Stroeve

Amendment of Corporate Bylaws

On thirty-one May

Two thousand six, there appeared before me,

Mr. Arnout Christiaan Stroeve, notary of Amsterdam;

Mrs. Geraldine Kyoko Tollenaar, who is employed by Houthoff Buruma N.V. at its offices at 1082 MA Amsterdam, Gustav Mahlerplein 50; date and place of birth: seven June nineteen hundred seventy-nine, Amstelveen; holder of passport no. NG0134944;

The party appearing before me stated that:

-The corporate bylaws of the private limited-liability company:

Fornix Medical Systems B.V., domiciled at Nijmegen, which were most recently amended by means of a document that was dated twenty-seven August two thousand three and was drawn up before me, a notary;

-The sole shareholder of the above-mentioned company has resolved to amend the corporate bylaws of the company;

-It was further resolved that the party appearing before me would be authorized to execute the corresponding document amending the corporate bylaws;

-The above-mentioned resolutions are indicated by a shareholder's resolution, which is to be attached to this document.

Accordingly, in fulfillment of the foregoing resolutions, the party appearing before me declared that the following amendment is to be made to the company's bylaws:

Article 1, Para. 1 shall now read as follows:

- 1.1 The company shall be named:
Laborie Europe B.V.

Closing Statement

In closing, the party appearing before me stated that the ministerial decree issued on thirty May two thousand six under number B.V. 1.167.618, a ruling based on which is to be attached to this document, does not pose any obstacle.

CONCLUSION

The party appearing before me who is handling this document is known to me, the notary, and her identity is confirmed by me, the notary, by means of the above-mentioned document submitted for said purpose.

CERTIFICATION WHEREOF;

Is hereby issued in Amsterdam on the date indicated at the top of this document. After reviewing the contents for substance and explaining this to the party appearing before me, said party stated that she was familiar with the contents of said document and agreed to an abbreviated reading thereof.

After an abbreviated reading as allowed by law, this document was signed by the party appearing before me and by myself, the notary.

(Signature follows)

Attached Statement of Non-Objection follows:

[Rest of page two is crossed out]

Ministry of Justice

Justice Service

Justice Enforcement Service for Testing, Integrity, and Screening

Reference: 69.100948-kto-fornix

Mr. AC Stroeve
Postbus 75505
1070 AM Amsterdam

Statement of Non-Objection

With reference to your request for a statement of non-objection in connection with the below-mentioned

Amendment of Corporate Bylaws

I am pleased to inform you of the following:

I am not aware of any objections.

Name: Laborie Europe B.V.
Fornix Medical Systems B.V.
Number BV 1167618

Date of ruling: 30 May 2006

For the:
Minister of Justice

/s/

The Coordinator of Corporate Integrity
A.A.A.M. Huldry

[seal of the Ministry of Justice]

/s/

Full text of the corporate bylaws of
Laborie Europe B.V.
Domiciled in Nijmegen
As most recently amended by a document
Issued on 31 May 2006
Before Notary Mr A. C. Stroeve

VERIFICATION OF TRANSLATION

I, Tom Appich, a translator with Chillson Translating Service, 3530 Chas Drive, Hampstead, Maryland, 21074, hereby declare as follows:

That I am familiar with the Dutch and English languages;

That I am capable of translating from Dutch to English;

That the translation attached hereto is a true and accurate translation of Dutch Amendment of Corporate Bylaws;

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true;

And further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

By

Tom Appich

Executed this 2 day of April

Witness

Steve Chillson